

**MINUTES OF THE  
SENATE TRANSPORTATION & PUBLIC UTILITIES & TECHNOLOGY  
STANDING COMMITTEE**

215 Senate Building, Utah State Capitol Complex  
February 11, 2014

**Members Present:** Sen. Kevin T. Van Tassell, Chair  
Sen. Margaret Dayton  
Sen. Wayne A. Harper  
Sen. Karen Mayne

**Members Excused:** Sen. J. Stuart Adams

**Staff Present:** Mr. Art Hunsaker, Policy Analyst  
Ms. Karen Allred, Committee Secretary

**NOTE:** A list of visitors and a copy of handouts are filed with the committee minutes.

Sen. Dayton assumed the Committee Chair and called the meeting to order at 4:09 p.m.

**MOTION:** Sen. Van Tassell moved to approve the revised minutes of the February 4, 2014 meeting and the minutes of the February 6, 2014 meeting. The motion passed unanimously with Sen. Mayne and Sen. Harper absent for the vote.

**S.B. 52      Utility Relocation on Highway Project (*K. Van Tassell*)**

Sen. Van Tassell explained the bill to the committee assisted by Shane Marshall, Deputy Director, Utah Department of Transportation.

Spoke for the bill: Rey Butcher, Vice President, Questar  
Eric Isom, Government Affairs Director, Century Link  
Brad Shaffer, Vice President, Rocky Mountain Power

**MOTION:** Sen. Van Tassell moved to pass the bill out favorably. The motion passed unanimously.

**S.B. 128      Safety Belt Amendments (*L. Robles*)**

Sen. Robles explained the bill to the committee assisted by Colonel Danny Fuhr, Highway Patrol who also answered questions from the committee.

Spoke for the bill: Carlos Braceres, Executive Director, Utah Department of Transportation  
Rolayne Fairclough, AAA Utah  
Chris Purcell, Attorney, State Farm Insurance

**MOTION:** Sen. Mayne moved to pass the bill out favorably. The motion failed with Sen. Mayne voting in favor of the bill, Sen. Van Tassell and Sen. Dayton voting in opposition and Sen. Harper absent for the vote.

**S.B. 149 Drowsy Driving Amendments (A. Osmond)**

Sen. Osmond explained the bill to the committee.

Spoke for the bill: Lori Hensler, Mother  
Linda Hull, Legal Division, Utah Department of Transportation

**MOTION:** Sen. Dayton moved to amend the bill as follows:

1 *Page 1, Lines 15 through 17:*

- 15 impaired by fatigue that it is unsafe for the person to operate the motor vehicle;  
    ► **provides that enforcement of the prohibition on driving while the person's ability or alertness is so impaired by fatigue that it is unsafe for the person to operate the motor vehicle shall be only as a secondary action when the person has been involved in a motor vehicle accident;**  
16 ► provides that the third full week in **{September}** August shall be commemorated  
    **{yearly}** annually as  
17 Drowsy Driving Awareness Week; and

2. *Page 2, Line 44:*

- 44 (2) (a) A violation of this section is a class C misdemeanor.  
    (b) Enforcement of Subsection (1)(c) by a state or local law enforcement officer shall be only as a secondary action when the person has been involved in a motor vehicle accident.

3.

*Page 3, Lines 78 through 79:*

- 78 (8) The third full week in **{September}** August shall be commemorated  
    **{yearly}** annually as Drowsy Driving  
79 Awareness Week to:

The motion passed unanimously.

**MOTION:** Sen. Dayton moved to amend the bill further as follows:

I. *Page 2, Lines 40 through 44:*

- 40 (ii) searching for an item in the vehicle; or  
41 (iii) attending to personal hygiene or grooming **{f} . {f} {;or**  
42 ~~**(c) operates the motor vehicle while the person's ability or alertness is so**~~  
    **impaired by**  
43 ~~**fatigue that it is unsafe for the person to operate the motor vehicle.**~~  
44 (2) A violation of this section is a class C misdemeanor.

The motion passed unanimously.

**MOTION:** Sen. Dayton moved to pass the bill out, as amended twice, favorably. The motion passed unanimously.

**H.B. 18     Driver License Amendments (*S. Handy*)**

Rep. Handy explained the bill to the committee assisted by Nanette Rolfe, Director, Driver License Division.

**MOTION:** Sen. Dayton moved to pass the bill out favorably. The motion passed unanimously.

**MOTION:** Sen. Dayton moved to place the bill on the Consent Calendar. The motion passed unanimously.

**MOTION:** Sen. Dayton moved to adjourn. The motion passed unanimously.

Chair Van Tassell adjourned the meeting at 5:04 p.m.

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Sen. Kevin T. Van Tassell, Chair